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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,715	07/19/2004	Kenji Sato	XA-10139	4462
181 7590 06/08/2007 MILES & STOCKBRIDGE PC 1751 PINNACLE DRIVE SUITE 500 MCLEAN, VA 22102-3833			EXAMINER AMORES, KAREN J	
			ART UNIT 3616	PAPER NUMBER
			MAIL DATE 06/08/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/501,715

Applicant(s)

SATO ET AL.

Examiner

Karen J. Amores

Art Unit

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 and 6-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 6-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Priority***

1. Applicant is advised of possible benefits under 35 U.S.C. 119(a)-(d), wherein an application for patent filed in the United States may be entitled to the benefit of the filing date of a prior application filed in a foreign country.
2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 102***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1, 6, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Fouquet et al. U.S. 5,593,183 ("Fouquet"). Fouquet discloses an impact absorption type steering column apparatus for an automotive vehicle in which a column sided upper bracket (7) provided fixedly to a steering column (10) is press-fitted to a vehicle body sided upper bracket (11) secured to a vehicle body, the steering column is supported by inserting a bolt (3) through through-holes formed (19 and 28) in the column sided and vehicle body sided upper brackets, and, when a secondary collision happens, an impact energy thereof is absorbed in a way that causes flexural deformation of the vehicle body sided upper bracket while moving the steering column towards the front of the automotive vehicle (column 8, line 30); wherein the through-hole of the column sided upper bracket is formed as an elongate hole extending substantially parallel with an axis of the steering column to the rear of the automotive vehicle from a position of the bolt (fig. 5);

Art Unit: 3616

5. the through-hole of the vehicle body sided upper bracket is an elongate hole for tilt adjustment, and the bolt is a tilt position fastening bolt (column 2, line 33).

6. In reference to claims 6 and 8, Fouquet further discloses the arrangement such that upon secondary collision, after flexural deformation of the vehicle body sided upper bracket, a collapse stroke occurs as a result of relative movement of the column sided bracket with respect to the vehicle body sided bracket and sliding movement of the bolt along the elongate hole of the column sided bracket, thereby absorbing additional impact energy of the secondary collision (column 9, line 20).

7. Claims 1, 7, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Tono, JP 2001-106092 ("Tono"). Tono discloses an impact absorption type steering column apparatus for an automotive vehicle in which a column sided upper bracket (15a) provided fixedly to a steering column (15) is press-fitted to a vehicle body sided upper bracket (23) secured to a vehicle body (20), the steering column is supported by inserting a bolt (25) through through-holes formed in the column sided and vehicle body sided upper brackets (fig. 5), and, when a secondary collision happens, an impact energy thereof is absorbed in a way that causes flexural deformation of the vehicle body sided upper bracket [0025] while moving the steering column towards the front of the automotive vehicle; wherein the through-hole of the column sided upper bracket is formed as an elongate hole (28) extending substantially parallel with an axis of the steering column to the rear of the automotive vehicle from a position of the bolt;

8. the through-hole of the vehicle body sided upper bracket is an elongate hole (24) for tilt adjustment, and the bolt is a tilt position fastening bolt.

Art Unit: 3616

9. In reference to claim 7, Tono further discloses the arrangement such that upon secondary collision, before flexural deformation of the vehicle body sided upper bracket, a collapse stroke occurs as a result of relative movement of the column sided bracket with respect to the vehicle body sided bracket and sliding movement of the bolt along the elongate hole of the column sided bracket, thereby absorbing additional impact energy of the secondary collision. This is performed by the structural arrangement show in Fig. 2.

### *Response to Arguments*

10. Applicant's arguments with respect to claims 1 and 6 – 8 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 3616

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen J. Amores whose telephone number is (571)-272-6212. The examiner can normally be reached on Monday through Friday, 8:00 AM - 5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on (571)-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Karen J. Amores  
Examiner  
Art Unit 3616

  
KJA

05 June 2007

 6/7/07  
PAUL N. DICKSON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600